

Message Text

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70

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 933

UNCLAS OTTAWA 0996

E. O. 11652: N/ A

TAGS: ETRN, CA

SUBJECT: CIVAIR: PRECLEARANCE

REF: OTTAWA 980

1. FOLLOWING IS EXCERPTED TEXT FROM NOTE HANDED US
APRIL 25 REQUESTING WITHDRAWAL OF PRECLEARANCE
FACILITIES WITHIN THREE MONTHS FROM APRIL 29.

2. BEGIN TEXT

" NOTE ECT/473

" DEPARTMENT OF EXTERNAL AFFAIRS (REFERS) TO
EMBASSY' S NOTE 53, OF MARCH 21, 1973, CONCERNING
PRECLEARANCE AT CANADIAN AIRPORTS OF AIR PASSENGERS
DESTINED TO U. S.

" DEPARTMENT IS AWARE THAT, FOLLOWING TECHNICAL
DISCUSSIONS BETWEEN REPRESENTATIVES OF TWO GOVERNMENTS,
CERTAIN SUGGESTIONS ON BEHALF OF USG WERE MADE IN
LETTER FROM THE COMMISSIONER OF THE UNITED STATES
BUREAU OF CUSTOMS, TO A VICE- PRESIDENT OF AIR CANADA,
ON APRIL 17, 1973, REGARDING PRECLEARANCE OF TRANSBORDER
FLIGHTS FROM TORONTO TERMINAL II. THESE SUGGESTIONS
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GENERALLY WOULD HAVE PROVIDED POSTCLEARANCE FACILITIES FOR CANADIAN CARRIER ON ITS MIAMI, TAMPA AND LOS ANGELES SERVICES WITH PRECLEARANCE SERVICE ONLY TO NEW YORK, CHICAGO, AND CLEVELAND. DEPARTMENT IS ALSO AWARE THAT CANADIAN CARRIER INFORMED COMMISSIONER OF CUSTOMS ON APRIL 19, 1973, THAT IT COULD NOT ACCEPT THESE SUGGESTIONS. AS OF OPENING OF NEW TERMINAL ON APRIL 29, 1973, SITUATION WOULD THUS HAVE BEEN SUCH THAT ONLY U. S. CARRIERS WOULD HAVE BEEN PRECLEARED. THIS WOULD HAVE INVOLVED DISCRIMINATION AT CANADIAN AIRPORTS AMONG AIR PASSENGERS DESTINED TO U. S.

" EMBASSY IS AWARE OF CONCERN OF GOC, WHICH USG NO DOUBT SHARES, THAT AIR TRANSPORT SERVICES BETWEEN THE TWO COUNTRIES SHALL BE FREE OF DISCRIMINATORY PRACTICES. EMBASSY WILL RECALL THAT CANADIAN CARRIERS HAVE BEEN SEEKING APPROPRIATE ARRANGEMENTS WITH U. S. CUSTOMS AND IMMIGRATION AUTHORITIES SINCE DECEMBER 1969 AND THAT IN DEPARTMENT' S NOTE ECT 822 OF AUGUST 30 TH, 1972, GOC REQUESTED DISCUSSIONS WITH USG IN ORDER TO ENSURE NON DISCRIMINATION IN APPLICATION OF PRECLEARANCE PROCEDURES. GOC CONTINUES TO BE CONCERNED THAT THERE SHALL BE NO DISCRIMINATION IN FACILITATION ARRANGEMENTS AFFORDED U. S. AND CANADIAN CARRIERS ENGAGED IN TRANSBORDER TRAFFIC.

" DEPARTMENT THEREFORE REQUESTS IN ACCORDANCE WITH PRINCIPLES AND SPIRIT OF 1966 AIR TRANSPORT AGREEMENT BETWEEN CANADA AND U. S. THAT USG WITHDRAW EXISTING UNSATISFACTORY PRECLEARANCE FACILITIES ON TRANSBORDER ROUTES. GOC HOPES THAT THIS WITHDRAWAL CAN BE ACCOMPLISHED IN ORDERLY MANNER WITHIN PERIOD OF THREE MONTHS FROM APRIL 29, 1973.

" DEPARTMENT WISHES TO TAKE THIS OPPORTUNITY TO CONFIRM DESIRE OF GOC TO RENEGOTIATE 1966 AIR TRANSPORT AGREEMENT AND LOOKS FORWARD TO 8 TH ROUND OF NEGOTIATIONS SCHEDULED FOR LATE MAY 1973.

" GOC HOPES THAT IN COURSE OF THESE NEGOTIATIONS IT WILL BE POSSIBLE TO OBTAIN EXPANDED AND EQUITABLE ROUTE
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PATTERN BETWEEN OUR TWO COUNTRIES AND ACCORDINGLY WOULD THEN BE WILLING TO NEGOTIATE WITH USG LONG TERM PRECLEARANCE ARRANGEMENTS FOR EXISTING AND NEW TERMINALS AND GATEWAYS WHICH WOULD NOT INVOLVE DISCRIMINATION AMONG TRAVELLING PUBLIC ACROSS CANADA. SUCH AN AGREEMENT WOULD INCLUDE PROVISION FOR CANADA TO PROVIDE PRECLEARANCE SERVICES AT UNITED STATES AIRPORTS FOR AIR

PASSENGERS DESTINED TO CANADA, SHOULD CANADA WISH TO DO
SO. OTTAWA, APRIL 25, 1973." END TEXT.
SCHMIDT

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